IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

WRIT PETITION NO.2847 OF 2005

M/s.S & S Enterprises & Anr. : Petitioners

V/s.

Mahindra Engineering & Chemical Products Limited & Anr. : Respondents

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Mr.S.V.Pitre for the petitioners.

Mr.Surel S. Shah for the respondents.

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CORAM : S.A. BOBDE, J.

July 4, 2005.

P.C.:

1. Rule, returnable forthwith.

Mr.Shah, learned counsel, appears and waives service of rule on behalf of the respondents.

Heard by consent.

2. After hearing the matter for sometime, by consent, the impugned order is modified in the following manner:-

The defendants shall, instead of Rs.33,79,173/-, deposit a sum of Rs.24,39,318.33 as a condition for leave to defend the suit. The time to deposit is extended by a

period of four weeks from the next date before the trial Court.

3. The rule is partly made absolute in the aforesaid terms.

S.A. BOBDE, J.